Attorney's Docket   07072-922001 / EMC 99-001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Steven Blumenau et al.   Art Unit : 2171
Serial No. : 09/521,902   Examiner : C. Rones
Filed   : March 9, 2000
Title   : MANAGED ACCESS OF A BACKUP STORAGE SYSTEM COUPLED TO A
             NETWORK

BOX AF
Commissioner for Patents
Washington, D.C. 20231

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RESPONSE

In response to the final action mailed June 4, 2002, please reexamine and reconsider the claims in view of the following remarks.

Independent Claim 1

The Examiner has rejected claims 1-8 as anticipated by U.S. 6,295,575 (Blumenau '575). As was the case in his previous response, applicant maintains that Blumenau '575 does not disclose a data storage including a first database having first configuration data for identifying which hosts have authorized access to volumes of at least one storage device and a second database including second configuration data for identifying which of the hosts have access to the at least one backup storage device for storing at least a portion of the data stored on the at least one storage device, as recited in independent claim 1.

The Examiner in his most recent office action maintains that this feature is disclosed by the Blumenau '575 patent, specifically referencing col. 29, lines 36-67 and col. 30, lines 34-49. Blumenau '575 simply does not provide any hint or clue to the concept of a data storage having a storage device partitioned into a volumes for storing data and a backup system having at least one backup storage device for storing a portion of data stored on the storage device. More

particularly, we submit, however, that nothing in the specific passages referenced by the Examiner describe or suggest the features set out above and recited in independent claim 1. These passages describe a process for how a host authenticates itself to storage system. Blumenau '575 states:

> A primary copy of the configuration information for the volumes accessible to a host is kept in the storage subsystem and on the host. The host should be able to access the primary copy on the storage subsystem if the host's local copy is not available. (Col . 29, lines 43-47).

That is, a copy of the configuration data for indicating which volumes are accessible by a host is stored on both the storage system and the host. If the host's copy is not available, it can access the copy of the configuration data on the storage subsystem. Thus, the copies of configuration data stored at both the storage system and the host provides the same information. Even for the sake of argument that this configuration data represents the first configuration data for identifying which hosts have authorized access to volumes of the data storage, there is no second configuration for identifying which hosts have access to a backup storage device that stores at least a portion of data stored on the storage device, as required by independent claim 1. Attached is a marked-up version of the changes being made by the current amendment.

Because claims 2-8 depend from independent claim 1, we submit that these dependent claims are patentable for at least the same reasons that claim 1 is patentable.

Independent Claim 9

The Examiner has rejected claims 9-13 as anticipated by U.S. 6,295,575 (Blumenau '575). We submit, however, that Blumenau does not disclose a method for managing access between hosts and a backup system that is part of a data storage and a first database including first configuration data used by the hosts to determine which hosts have authorized access to the volumes. Furthermore, Blumenau '575 does not describe or suggest a method comprising determining, in response to second configuration data from a second database, that the host requesting access is authorized to access the portion of data stored on the backup system, as required by amended claim 9. As stated above, in conjunction with claim 1, Blumenau does not suggest determining, in response to second configuration data from a second database, that ahost
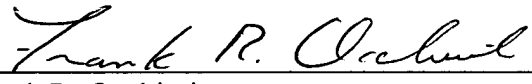
requesting access is authorized to access a portion of dta stored in a backup system, as required by independent claim 9.

Because claims 10-13 depend from independent claim 9, we submit that these claims are patentable for at least the same reasons that claim 9 is patentable.

Applicant asks that all claims be allowed. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: August 12, 2002

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